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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional) 1875.2800001/RES/GSB

In re Application of:

Mulder et al.

Application No.:

10/720,144

Filed:

November 25, 2003

For: Class Ab Digital To Analog Converter/Line Driver

The owner\*, <u>Broadcom Corporation</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No(s). <u>6,720,798</u>. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent(s) are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent(s), as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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	etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. X The undersigned is an attorney or agent of re	ecord.
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110.00 OP

George S. Bardmesser
Typed or printed name

(202) 371-2600

Telephone Number

X Terminal disclaimer fee under 37 CFR 1.20(d) included.

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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known **TRANSMITTAL** 10/720,144 Application Number for FY 2004 Filing Date November 25, 2003 First Named Inventor Jan Mulder Effective 10/01/2003. Patent fees are subject to annual revision. **Examiner Name** Luu, An T. Applicant claims small entity status. See 37 CFR 1.27 Art Unit 2816 **TOTAL AMOUNT OF PAYMENT** (\$) 110.00 1875.2800001/RES/GSB Attorney Docket No METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) Money Order None None 3. ADDITIONAL FEES Check X Credit card Large Entity | Small Entity Charge any deficiencies or credit any overpayments in the fees to Deposit Acct. No. 19-0036. =ee Fee Description Deposit Code Code (\$) Fee Paid 19-0036 1051 130 2051 65 Surcharge - late filing fee or oath Number Deposit Surcharge - late provisional filing fee or 1052 50 2052 25 Sterne, Kessler, Goldstein & Fox P.L.L.C Account cover sheet 1053 130 1053 Non-English specification The Director is authorized to: (check all that apply) 1812 2,520 1812 2,520 For filing a request for ex parte reexamination Charge fee(s) indicated below Credit any overpayments 1804 Requesting publication of SIR prior to 1804 920 920\* Charge any additional fee(s) or any underpayment of fee(s) Examiner action Charge fee(s) indicated below, except for the filing fee 1805 1.840 Requesting publication of SIR after 1805 1.840 to the above-identified deposit account. Examiner action 1251 110 2251 55 Extension for reply within first month **FEE CALCULATION** Extension for reply within second month 1252 420 2252 210 1. BASIC FILING FEE 1253 950 2253 475 Extension for reply within third month arge Entity Small Entity Fee Fee Code (\$) Fee Fee Fee Description Fee Paid 1254 1.480 2254 740 Extension for reply within fourth month Code (\$) Extension for reply within fifth month 1255 2,010 2255 1,005 1001 770 2001 385 Utility filing fee 1401 1002 340 2002 170 330 2401 165 Notice of Appeal Design filing fee 1402 330 2402 Filing a brief in support of an appeal 1003 530 2003 265 Plant filing fee 165 1004 770 2004 385 Reissue filing fee 1403 290 2403 145 Request for oral hearing 1005 160 2005 1451 1.510 1451 1.510 80 Provisional filing fee Petition to institute a public use proceeding 1452 110 2452 Petition to revive - unavoidable SUBTOTAL (1) (\$) 1453 1.330 2453 665 Petition to revive - unintentional 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1501 1.330 2501 Utility issue fee (or reissue) Fee from Fee Paid Extra Claims below 1502 480 2502 240 Design issue fee **Total Claims** Х 20 1503 2503 640 320 Plant issue fee Independent Х 3 1460 130 1460 130 Petitions to the Commissioner Multiple Dependent 1807 50 1807 Processing fee under 37 CFR 1.17(q) Large Entity Small Entity 1806 Submission of Information Disclosure Stmt 180 1806 180 Fee Fee Fee Description Fee Fee Recording each patent assignment per Code (\$) Code (\$) 8021 40 8021 property (times number of properties) 1202 Claims in excess of 20 18 2202 9 1809 Filing a submission after final rejection 770 2809 385 1201 86 Independent claims in excess of 3 2201 43 (37 CFR 1.129(a)) 1203 290 2203 Multiple dependent claim, if not paid 770 385 For each additional invention to be 1810 2810 examined (37 CFR 1.129(b))

**or number previo	ously paid, if greater, For Reissues,	see above	*Reduced by Basic Filing Fee Paid	SUBTOTAL (3) (\$)	110.00
SUBMITTED BY		AIY		(Complete (if applicable))	
Name (Print/Type)	George S. Bardmesser		Registration No. (Attorney/Agent) 44,020	Telephone (202) 371-	·2600
Signature		LX VZ		Date 2/0	7

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Other fee (specify) Terminal Disclaimer

Request for Continued Examination (RCE)

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Request for expedited examination

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Reissue independent claims

\*\* Reissue claims in excess of 20

(\$)

and over original patent

over original patent

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SUBTOTAL (2)